

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

CLIFTON MONROE GRAVES,	)	
	)	
Petitioner,	)	
	)	CIVIL ACTION NO.
VS.	)	
	)	3:05-CV-0436-G
DOUGLAS DRETKE, Director, Texas	)	
Department of Criminal Justice,	)	ECF
Correctional Institutions Division,	)	
	)	
Respondent.	)	

**ORDER**

United States Magistrate Judge William F. Sanderson, Jr., made findings, conclusions and a recommendation in this case. Petitioner filed objections, and the district court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. The objections are overruled, and the court accepts the findings, conclusions and recommendation of the United States Magistrate Judge.

It is **ORDERED** that the court finds that petitioner's notice of appeal was filed on December 22, 2005, one day after the December 21, 2005, deadline for filing a timely notice of appeal with the Fifth Circuit.

It is further **ORDERED** that petitioner's motion for reimbursement of "COA fees" filed on March 29, 2006 is **DENIED** as moot, and this case is **RETURNED** to the Fifth Circuit for further proceedings.

May 8, 2006.

  
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A. JOE FISH  
CHIEF JUDGE